

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 523

Introduced by Assembly Member Negrete McLeod

February 16, 2005

An act to amend Sections 94854 and 94920 of, 94920, and 94931 of, and to add Section 94742.2 to, the Education Code, relating to private postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, as amended, Negrete McLeod. Private postsecondary institutions: instructors and standards.

(1) Existing law, the Private Postsecondary and Vocational Education Reform Act of 1989, generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, as defined. The act establishes the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act. By its own terms, the act *becomes inoperative on July 1, 2007, and is repealed as of January 1, 2008.*

An existing provision of the act requires that, in determining the placement rate of an institution for a particular time period, an institution may count a student who drops out of the program after completing at least 75% of the program because the student has obtained employment that lasts for a period of 60 days in the occupations to which the program of instruction is represented to lead.

This bill would instead require that the institution could count a student who drops out of the program after completing at least 75% of

the program because the student has obtained employment in an occupation included in the Standard Occupational Classifications system that is used on January 1, 2006, by the Bureau of Labor Statistics of the United States Department of Labor.

(2) An existing provision of the act relating to persons who are qualified to serve as directors of institutions that are under the jurisdiction of the act provides that the sole owner of an institution may serve in the capacity of director for 3 years prior to meeting a requirement that a director have 3 years' experience in an administrative position in a public or state-approved private postsecondary school.

This bill would specify that this provision refers to a sole owner, as that term is used in the Corporations Code.

(3) *An existing provision of the act requires specified institutions to register with the Bureau for Private Postsecondary and Vocational Education. The provision exempts an educational service that qualifies for registration status and that complies with the article. The provision lists educational services that qualify for registration status including an educational service, as defined by provisions that have been repealed, that is offered to provide short-term seminar training.*

This bill would add to that list an educational service, as defined, that is offered to provide a short-term education program. The bill would also define "short-term seminar training" for those purposes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 94742.2 is added to the Education Code,
- 2 to read:
- 3 94742.2. (a) "Short-term seminar training" means an
- 4 educational service offered at a main location, branch, satellite,
- 5 or any other location, by an institution other than an institution
- 6 described in paragraph (8) of subdivision (b) of Section 94739,
- 7 that consists of 100 hours or less of instruction, and the total
- 8 charge for which is less than one thousand dollars (\$1,000).
- 9 (b) Short-term seminar training does not include any of the
- 10 following:
- 11 (1) Instruction leading to a degree.
- 12 (2) Instruction financed by a federal or state loan or grant.

1 (3) *Instruction in how to prepare for, take, or pass a licensing*
2 *examination or other test qualifying a person for employment.*

3 (4) *Instruction that is represented to lead to an occupation or*
4 *job title.*

5 (5) *Any educational service consisting of more than 100 hours*
6 *of instruction or costing one thousand dollars (\$1,000) or more*
7 *in total charges that is divided or structured into one or more*
8 *segments that consist of 100 or fewer hours of instruction, the*
9 *total charge for which is less than one thousand dollars (\$1,000).*

10 (c) *Short-term seminar training may include an educational*
11 *service licensed by another state agency so long as that*
12 *educational service complies with subdivision (a) and Article 9.5*
13 *(commencing with Section 94931).*

14 **SECTION 1.—**

15 **SEC. 2.** Section 94854 of the Education Code is amended to
16 read:

17 94854. (a) Every institution shall meet all of the following
18 performance standards for each program offered during the
19 applicable time period described in subdivision (l):

20 (1) Sixty percent or more of the students who began the
21 program, did not cancel pursuant to Section 94867, and were
22 originally scheduled at the time of enrollment to complete the
23 course during that period, shall complete it.

24 (2) Seventy percent or more of the students who completed the
25 program within that period shall obtain employment starting
26 within six months after completing the course in the occupations
27 or job titles to which the course of instruction was represented to
28 lead. For the purpose of this subdivision, “program” or “program
29 of instruction” or “course” or “course of instruction” includes all
30 courses of instruction, however denominated, that are represented
31 to lead to the same or closely related occupations or job titles.

32 (b) Every institution shall meet all of the following
33 performance standards for all programs in the aggregate offered
34 by the institution at each of its campuses during the applicable
35 time period described in subdivision (l):

36 (1) Sixty percent or more of all the students who began the
37 programs did not cancel pursuant to Section 94867, and were
38 originally scheduled at the time of enrollment to complete these
39 programs during that time period, shall complete these programs.

1 (2) Seventy percent or more of all the students who completed
2 the programs within that time period shall obtain employment,
3 starting within six months after completing the programs, in the
4 occupations or job titles to which the programs of instruction
5 were represented to lead.

6 (c) For the purposes of subdivisions (a) and (b), students who,
7 as documented by the institution, have been prevented from
8 completing the program or programs of instruction due to death,
9 disability, illness, pregnancy, military service, or participation in
10 the Peace Corps or Domestic Volunteer Service shall be excluded
11 from the computations used to determine whether an institution
12 has met the performance standards prescribed by those
13 subdivisions. Except as provided in Section 94874, an institution
14 shall not disclose the records maintained pursuant to this
15 subdivision unless production of those records ~~are~~ is required by
16 any law, subpoena, or court order, or ~~are~~ is necessary for a
17 certified public accountant to prepare a compliance report
18 pursuant to subdivision (g) of Section 94870.

19 (d) An institution shall meet the standards prescribed in
20 subdivisions (a) and (b) at each site at which the program or
21 programs are offered. A determination of whether a particular
22 site meets the standards prescribed in subdivisions (a) and (b)
23 shall be based only on students who attended that site. An
24 institution shall be subject to subdivisions (f) and (g) only with
25 respect to its sites that fail to meet the standards prescribed in
26 subdivisions (a) and (b).

27 (e) (1) This subdivision applies only to institutions in which
28 15 or fewer students began a program or programs, did not
29 cancel pursuant to Section 94867, and were originally scheduled
30 to complete the program or programs within the applicable time
31 period described in subdivision (l).

32 (2) If an institution described in paragraph (1) fails to meet
33 any of the standards prescribed in subdivision (a) or (b), but
34 would have met that standard if one additional student had
35 completed or obtained employment, the institution shall be
36 deemed to comply with this section. If an institution described in
37 paragraph (1) fails to meet the standard for review established in
38 subdivision (f), but would have met the standard if one additional
39 student had completed or obtained employment, the institution
40 shall be deemed subject to subdivision (f).

(f) (1) This subdivision applies only to an institution or any site that fails to meet any of the following:

(A) Any of the standards established in subdivision (a) or (b) by 10 percent or less.

(B) Any of the standards established in subdivision (a), but has a placement rate of 42 percent or more for the course in which the standard was failed.

(C) Any of the standards established in subdivision (b), but has a placement rate of 42 percent or more for all courses in the aggregate.

(2) If the institution's failure to meet the standards prescribed in subdivision (a) or (b) was not caused by a violation of this chapter, the ~~council~~ bureau shall order, after notice and, if requested, after a hearing, that the institution implement a program to achieve compliance with subdivisions (a) and (b). The program may include any of the following:

(A) Limitations on enrollment for specific courses of instruction.

(B) Revision of admission policies and screening practices to ensure that students have a reasonable expectation of completing courses and obtaining employment.

(C) Increased academic counseling and other student support services.

(D) Improved curricula, facilities, and equipment.

(E) Revisions to the qualifications and number of faculty.

(F) Improved job placement services, including revisions to the qualifications and number of job placement personnel and the expansion of contacts with employees and state and federal employment development agencies.

(G) Submission of a compliance report prepared by a certified public accountant, who is not an officer, director, shareholder, or employee of the institution, any parent corporation or any subsidiary, prepared pursuant to an attestation engagement in accordance with the Statements on Standards for Attestation Engagements of the American Institute of Certified Public Accounts, which states that the institution has complied with the performance standards in this section within the period set forth in paragraph (4).

(H) Any other reasonable procedure required by the bureau.

(3) If an institution is subject to an order pursuant to paragraph (2), the bureau may require that the institution file information or reports requested by the bureau. The bureau may also monitor the institution in the manner provided in subdivision (d) of Section 94878.

(4) (A) An institution subject to an order pursuant to paragraph (2) shall satisfy the standards established in subdivisions (a) and (b) within the period designated by the bureau. This period shall not extend more than one year beyond the length of the program for noncompliance with the standards prescribed by subdivision (a) or more than one year beyond the longest program for noncompliance with the standards prescribed in subdivision (b).

(B) If the institution fails to satisfy the standards of subdivision (a) within the period designated by the bureau, the bureau shall order the institution to cease offering the course of instruction at the campus where that program was offered. If the institution fails to satisfy the standards of subdivision (b) within the period designated by the bureau, the bureau shall revoke the institution's approval to operate, or approval to operate the branch or satellite campus where the programs were offered. No action shall be taken pursuant to this paragraph without notice, and, if requested by the institution, a hearing. In taking action pursuant to this subparagraph, the bureau shall consider the impact, if any, of changes in the employment rate in the area served by this institution.

(g) If an institution fails to meet any of the standards established in subdivision (a) and does not have a placement rate of 42 percent or more for the program in which the standard was failed, the bureau shall order the institution to cease offering the program of instruction at the campus where the course was offered. If the institution fails to meet any of the standards prescribed in subdivision (b) and does not have a placement rate of 42 percent or more for all programs in the aggregate, the bureau shall revoke the institution's approval to operate, or approval to operate the branch or satellite campus where the programs were offered. No action shall be taken pursuant to this subdivision without notice and, if requested by the institution, a hearing.

1 (h) (1) The institution shall have the burden of proving its
2 compliance with this section.

3 (2) The bureau shall investigate the institution whenever the
4 bureau deems appropriate to verify the institution's compliance
5 with this section. The investigation shall include an examination
6 of the records maintained by the institution pursuant to
7 subdivision (j) and contacts with the students and employers.

8 (3) If an institution willfully falsifies, alters, destroys,
9 conceals, or provides untrue or misleading information relating to
10 compliance with this section, including records maintained
11 pursuant to subdivision (j), the bureau shall revoke the
12 institution's approval to operate. No action shall be taken
13 pursuant to this paragraph without notice and, if requested by the
14 institution, a hearing. This provision supplements, but does not
15 supplant, any other penalty or remedy provided by law.

16 (4) The institution shall pay all reasonable costs and expenses
17 incurred by the bureau in connection with this section at a time
18 designated by the bureau.

19 (i) If the bureau, pursuant to subdivision (f) or (g), orders an
20 institution to cease offering a program of instruction or revokes
21 the approval of an institution to operate or operate a branch or
22 satellite campus, the institution may apply, no sooner than two
23 years after the order to cease or the revocation became effective,
24 for approval to offer that program or for approval to operate.
25 Before the bureau may grant any approval, the institution shall
26 establish that it complies with this chapter, each program satisfies
27 all of the minimum standards prescribed by this chapter, and the
28 circumstances surrounding the institution's failure to meet the
29 requirements of this section have sufficiently changed so that the
30 institution will be substantially likely to comply with this section.

31 (j) An institution shall maintain records of the name, address,
32 and telephone number of students who enroll in a program of
33 instruction, including students who begin the program and
34 students who cancel pursuant to Section 94867, and of students
35 who graduate from that program of instruction. An institution
36 shall inquire whether students who complete a program of
37 instruction obtain employment starting within six months of
38 completing the program in the occupation to which the program
39 of instruction is represented to lead and continue in employment
40 for a period of at least 60 days. The inquiry shall be documented

1 by a list indicating each student's name, address, and telephone
2 number; the employer's name, address, and telephone number;
3 the name, address, and telephone number of the person who
4 provided the information regarding the student's employment to
5 the institution; the name, title, or description of the job; the date
6 the student obtained employment; the duration of the student's
7 employment; information concerning whether the student was
8 employed full-time or part-time including the number of hours
9 worked per week; and the names, addresses, and telephone
10 numbers of students who choose not to seek employment and
11 instead enroll in another program to earn a higher degree, as well
12 as the name and address of the institution in which they enroll. If
13 the student is self-employed, the list shall include reliable indices
14 of self-employment such as contracts, checks for payment, tax
15 returns, social security contribution records, records of accounts
16 receivable or customer payments, invoices for business supplies,
17 rent receipts, appointment book entries, business license, or any
18 other information required by the bureau that is a reliable
19 indicator of self-employment.

20 (k) For the purposes of this section, the following definitions
21 shall apply:

22 (1) "Annual report" means the report required to be filed
23 pursuant to Section 94861.

24 (2) (A) "Employment" means either of the following:

25 (i) Full-time employment for at least 32 hours per week for a
26 period of at least 60 days in the occupations or job titles to which
27 the program of instruction is represented to lead.

28 (ii) Part-time employment for at least 17.5 hours, but less than
29 32 hours, per week for a period of at least 60 days in the
30 occupations or job titles to which the program of instruction is
31 represented to lead, provided the student completes a handwritten
32 statement at the beginning of the program and at the end of the
33 program which states that the student's educational objective is
34 part-time employment. The institution shall not require that any
35 student complete a statement or provide any incentive, financial
36 or otherwise, to any student for signing that statement.

37 (B) The bureau shall adopt regulations to specify the job tasks,
38 other than those directly related to generating income, which may
39 be counted towards meeting the hour requirements for full-time
40 and part-time employment for students who are self employed.

1 (3) “Hearing” means a hearing pursuant to the requirements of
2 either Section 94965 or 94975.

3 (4) “Placement rate” means the percentage of students who
4 fulfilled the provisions of the following two subparagraphs:

5 (A) Began the program, did not cancel pursuant to Section
6 94867, and were originally scheduled at the time of enrollment to
7 complete the program during the applicable time period
8 described in subdivision (I).

9 (B) Completed the program, within the applicable time period
10 described in subdivision (I) and started employment within six
11 months of completing the program or, if employment requires
12 taking a state licensure examination for which only graduates of
13 the program may apply, then (i) started employment within six
14 months of the date on which the state licensing agency
15 announces the results of the first licensure examination
16 reasonably available to students who completed the program, or
17 (ii) started employment within six months of the next reasonably
18 available licensure examination date for any student who did not
19 receive passing results on the first exam. The time period
20 determined pursuant to this subparagraph shall not exceed 10
21 months beyond the date of completion of the program of
22 instruction. The institution shall retain a record of the date of the
23 first reasonably available licensure exam following the
24 completion date of each student, the date the licensure agency
25 announces the results of the first reasonably available licensure
26 exam, and the date of the next reasonably available licensure
27 exam for each student who did not pass the first exam.

28 (5) “Reporting period” means the institution’s fiscal year or
29 any year period designated by the bureau to be covered in the
30 institution’s annual report.

31 (6) “Time period” means the two most recent calendar years
32 that ended at least eight months before the end of the institution’s
33 applicable reporting period.

34 (I) (1) An institution’s compliance with the standards
35 prescribed in subdivisions (a) and (b) shall be determined as of
36 the date on which the institution’s reporting period ends.

37 (2) The institution shall report its determination of its
38 compliance with the standards established in subdivisions (a) and
39 (b) in each annual report.

1 (3) The bureau may adjust the meaning of “time period” if the
2 bureau finds that an adjustment is necessary for the efficient
3 administration of this section. If any adjustment is made in the
4 annual reporting periods, the bureau may adjust when the time
5 period commences but shall not alter the two-year length of the
6 period.

7 (m) In determining the placement rate for a particular time
8 period as described in subdivision (l), an institution may exclude
9 from the determination a student whose completion date was
10 extended beyond that time period if the extension was requested
11 by the student in writing on an enrollment agreement
12 modification request form that meets specifications established
13 by the bureau. The form shall include instructions to the student
14 indicating that, when signed by both the student and the
15 institution, the request modifies the existing agreement. The form
16 shall not be valid unless it provides space for the student to
17 complete a handwritten description, in the student’s handwriting,
18 of the reasons necessitating the extension that are distinctly
19 personal to the student and unrelated to the provision of
20 educational services or activities of the institution, contains the
21 new expected completion date of the program, and is signed and
22 dated by the student and the institution. The institution shall
23 provide the student a copy of the signed modification request
24 form. The institution shall retain the student’s original written
25 request to modify the enrollment agreement with the original
26 enrollment agreement. A student excluded from the placement
27 rate determination for a particular time period pursuant to this
28 subdivision shall be included in the placement rate determination
29 for the next immediately following time period. The institution
30 shall state in the institution’s annual report the number of
31 students for whom an extension was granted.

32 (n) In determining the placement rate for a particular time
33 period as described in subdivision (l), an institution may exclude
34 from the calculation a student who either:

35 (1) Decides not to obtain employment and within six months
36 of completing the program enrolls in a program to continue his or
37 her education to obtain a higher level degree that is related to, or
38 provides for the student to use, the same skills or knowledge
39 obtained in the program the student completed.

(2) Is in possession at the completion of the program of a valid United States Immigration and Naturalization Service Form I-20.

(o) In determining the placement rate for a particular time period as described in subdivision (l), an institution may count a student who drops out of the program after completing at least 75 percent of the program because the student has obtained employment which lasts for a period of at least 60 days in an occupation included in a minor group of the Standard Occupational Classification system that is used by the Bureau of Labor Statistics of the United States Department of Labor on January 1, 2006, to which the program the occupations or job titles to which the program of instruction is represented to lead. No more than 10 percent of the institution's total number of placed students may be counted pursuant to this subdivision.

(p) If an order to cease offering a program or a revocation is issued pursuant to this section, the bureau may permit the institution to continue to offer the program or programs of instruction to the students who had begun the course or courses before the effective date of the order or revocation or may order the institution to cease instruction and provide a refund of tuition and all other charges to students.

~~SEC. 2.—~~

SEC. 3. Section 94920 of the Education Code is amended to read:

94920. (a) Each individual submitting an application for a certificate of authorization for service, pursuant to paragraph (3) of subdivision (b) of Section 94915, shall provide the bureau with the following information:

(1) A completed application as supplied by the bureau.

(2) Certified copies of educational transcripts, where applicable.

(3) Verified employment history.

(4) Other documentation of prior experience or education as required by the bureau for verification.

(b) To be eligible for a certificate of authorization for service, the applicant shall fulfill the following requirements:

(1) Instructors shall have all of the following qualifications:

(A) No record of any violations of this chapter.

(B) Verification that he or she possesses a combination of at least three years' experience and training or education in the

1 occupation or job title category for which the certification is
2 sought.

3 (C) An instructor for a program that leads to a degree shall
4 possess a degree of equal or higher level in the occupation for
5 which certification is sought.

6 (2) Directors shall have both of the following qualifications:

7 (A) Three years' experience in an administrative position in a
8 public or an approved private postsecondary school.

9 (B) No record of any violations of this chapter.

10 (3) Associate directors shall have both of the following
11 qualifications:

12 (A) Two years' experience in an administrative or other
13 responsible position in a public or state approved private
14 postsecondary school.

15 (B) No record of any violations of this chapter.

16 (4) Financial aid directors shall have all of the following
17 qualifications:

18 (A) Five years' experience in an administrative position in the
19 financial aid office of a public or approved private postsecondary
20 school.

21 (B) Verification of completion within the previous two years
22 of a training seminar or workshop certified by the Student Aid
23 Commission as providing up-to-date comprehensive information
24 on financial aid programs and policies.

25 (C) No record of any violations of this chapter.

26 (D) Any other requirements the bureau deems necessary.

27 (5) Financial aid officers shall possess all of the following
28 qualifications:

29 (A) Verification of completion within the previous two years
30 of a training seminar or workshop certified by the Student Aid
31 Commission as providing up-to-date comprehensive information
32 on financial aid programs and policies.

33 (B) No record of any violations of this chapter.

34 (C) Other requirements the bureau deems necessary.

35 (c) The sole owner, as that term is used in the Corporations
36 Code, of an institution may serve in the capacity of director for
37 three years prior to meeting the qualifications of subparagraph
38 (A) of paragraph (2) of subdivision (b).

39 (d) Any individual filling a position left vacant by a previously
40 certified financial aid director or financial aid officer shall verify

1 with the bureau completion of the training referred to in
2 subparagraph (A) of paragraph (5) of subdivision (b) within one
3 year of accepting that position.

4 (e) Each individual certified for authorization for service in the
5 positions listed in paragraphs (1), (4), and (5) of subdivision (b)
6 shall maintain at each private postsecondary educational
7 institution where he or she is employed a validated transcript
8 evidencing the successful completion of three continuing
9 education units of recognized in-service training in ~~their~~ *his or*
10 *her* education, job title category, or employment field during
11 every period of certification. These units may be completed
12 through in-service training offered by accrediting associations,
13 professional organizations, or council-approved programs.

14 (f) Every certificate of authorization issued to a person who
15 possesses the qualifications described in paragraphs (1), (4), and
16 (5) of subdivision (b) shall be valid for a period of three years.

17 (g) In addition to the requirements set forth in this section, the
18 bureau may impose additional requirements by regulation.

19 *SEC. 4. Section 94931 of the Education Code is amended to*
20 *read:*

21 94931. (a) No private postsecondary educational institution,
22 except those offering degrees and approved under Article 8
23 (commencing with Section 94900) or offering vocational and
24 nondegree granting programs and approved under Article 9
25 (commencing with Section 94915), or those that are exempt from
26 this chapter, may offer educational services or programs or
27 short-term educational programs unless the institution has been
28 registered by the bureau as meeting the requirements of this
29 article.

30 (b) An institution approved to offer degrees under Article 8
31 (commencing with Section 94900) or approved to offer
32 vocational and nondegree granting programs under Article 9
33 (commencing with Section 94915) may offer registered
34 short-term education programs without affecting its status under
35 either of those articles so long as the registered short-term
36 education program is disclosed in its approval to operate
37 application or the institution completes a registration application
38 and receives specific authorization for the program, maintains
39 compliance for all registered programs in conformity with this
40 article, and maintains a set of student records for registered

1 programs separate from its approved programs. Any registered
2 institution that offers an educational program not specified in
3 subdivision (c) or not otherwise exempt from this chapter shall
4 be approved under Article 8 (commencing with Section 94900)
5 or Article 9 (commencing with Section 94915) and shall comply
6 with this chapter.

7 (c) Except as otherwise provided in this article, this chapter
8 does not apply to an educational service that qualifies for
9 registration status and that complies with this article. The
10 educational services that qualify for registration status are limited
11 to:

12 (1) An educational service, as defined in Section 94733, that is
13 offered to provide an intensive English language program.

14 (2) An educational service, as defined in Section 94742.1, that
15 is offered to provide short-term career training.

16 (3) An educational service, as defined in Section 94742.2, that
17 is offered to provide short-term seminar training.

18 (4) An educational service that is offered to assist students to
19 prepare for an examination for licensure, except as provided in
20 Section 94787.

21 (5) An educational service that consists of continuing
22 education not otherwise exempt from this chapter.

23 (6) *An educational service, as defined in Section 94742.3, that*
24 *is offered to provide a short-term education program.*

25 (d) An institution that qualifies under any of paragraphs (1) to
26 (4), inclusive, of subdivision (c) shall complete a registration
27 form provided by the bureau, including a signed declaration by
28 the chief executive officer of the institution under penalty of
29 perjury, and provide all of the following information for public
30 disclosure:

31 (1) The owner's legal name, headquarters address, and the
32 name of an agent for the service of process within California.

33 (2) All names, whether real or fictitious, under which the
34 owner is doing and will do business.

35 (3) The names and addresses of the principal officers of the
36 institution.

37 (4) A list of all California locations at which the institution
38 operates, its offerings, and, if previously registered, the number
39 of students enrolled in California during the preceding year.

1 (5) A copy of the registration form or agreement that enrolls
2 the student in the educational service that contains all of the
3 following:

4 (A) The name and address of the location where instruction
5 will be provided.

6 (B) The title of the educational program.

7 (C) The total amount the student is obligated to pay for the
8 educational service.

9 (D) A clear and conspicuous statement that the enrollment
10 form or agreement is a legally binding instrument when signed
11 by the student and accepted by the institution.

12 (E) The refund policy developed by the institution unless this
13 article specifies a different refund policy.

14 (F) Unless this article specifies that the institution is required
15 to participate in the Student Tuition Recovery Fund, a statement
16 that the institution does not participate in that fund.

17 (G) In 10-point boldface type or larger, the following
18 statement: "Any questions or problems concerning this school
19 that have not been satisfactorily answered or resolved by the
20 school should be directed to the Bureau for Private
21 Postsecondary and Vocational Education in the Department of
22 Consumer Affairs (insert city, address, CA ZIP Code number,
23 and telephone number)."

24 (H) Schools approved under paragraph (1) of subdivision (c)
25 of Section 94931 shall also include with the statement required
26 by subparagraph (G) information referring the student to a
27 consulate of his or her country and the United States Immigration
28 and Naturalization Service.

29 (6) A brochure or catalog and a sample advertisement used to
30 promote the educational service.

31 (7) A copy of its certificate of completion.

32 (8) If the educational service offers short-term career training,
33 the institution shall comply with the requirements of Sections
34 94804 and 94806.

35 (9) If the institution assists students in obtaining financing
36 from a third party for the cost of the educational services at the
37 institution, a copy of the contract or finance agreement reflecting
38 that financing.

39 (e) The bureau shall establish the initial registration fee and
40 the annual fee to be paid by institutions registered under this

1 article. No institution shall be registered pursuant to this article
2 unless it has paid the appropriate fees required by the bureau.
3 Upon receipt of an institution's initial application for registration
4 for a program, the bureau may conduct a site visit pursuant to
5 subdivision (c) of Section 94915.

6 (f) For the purposes of communication with other state
7 agencies, any organization or individual registered to offer
8 short-term seminar training may state that they are "authorized"
9 by the State of California.

10 (g) (1) Except as provided by subdivision (f), any institution
11 registered pursuant to this article shall be restricted to stating that
12 their training is "registered" with the State of California and is
13 prohibited from using the words "approval," "approved,"
14 "approval to operate," "approved to operate," "authorized,"
15 "licensed," or "licensed to operate."

16 (2) The institution shall place the following statement in all
17 brochures, catalogues, enrollment agreements, and registration
18 forms, in a conspicuous location in at least 12-point boldfaced
19 type:

20 "We are registered with the State of California. Registration
21 means we have met certain minimum standards imposed by the
22 state for registered schools on the basis of our written application
23 to the state. Registration does not mean we have met all of the
24 more extensive standards required by the state for schools that
25 are approved to operate or licensed or that the state has verified
26 the information we submitted with our registration form."

27 (h) The bureau may require, at least every three years
28 following the initial registration date, that a registered institution
29 verify all or part of the information required to be provided with
30 the registration form under subdivision (d).

31 (i) Sections 94812 and 94818, Sections 94822 to 94825,
32 inclusive, and Sections 94829 to 94838, inclusive, and Sections
33 94841 and 94846 shall apply to any institution registered
34 pursuant to this article.

35 (j) Article 1 (commencing with Section 94700), Article 2
36 (commencing with Section 94710), Article 3 (commencing with
37 Section 94750), Article 3.5 (commencing with Section 94760),
38 Article 4 (commencing with Section 94770), and Article 13

- 1 (commencing with Section 94950) shall apply to any institution
- 2 registered pursuant to this article.

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